



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Alan L BACKUS

Serial No.: 10/039,395

Filing Date: November 7, 2001

For: SIMPLIFIED DEVICE TO
QUICKLY COOK FOOD

Group Art Unit: 1761

Examiner: Becker, Drew E.

Customer No.: 24574

Docket No.: 65476-5003

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence and identified enclosures are being facsimile transmitted to the **USPTO Central Fax No. 571-273-8300** or deposited with the U.S. Postal Service as first class mail in an envelope addressed to: addressed to: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 30, 2006

by Melody Green
Melody Green

**PETITION TO WITHDRAW APPLICATION FROM ISSUE UNDER 37 C.F.R. § 1.313
AND REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

Pursuant to 37 C.F.R. § 1.313 and Manual of Patent Examining Procedure

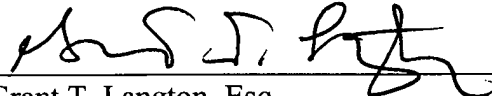
§ 1002.02(b), Applicant respectfully requests that the above-referenced utility patent application be withdrawn from issue. Concurrent with this Petition to Withdraw, Applicant respectfully requests Continued Examination under 37 C.F.R. § 1.114 for consideration of the accompanying Information Disclosure Statement.

In view of the foregoing, applicant respectfully requests this Petition be granted,
the Request for Continued Examination be granted, and the accompanying Information
Disclosure Statement be considered.

Respectfully submitted,

JEFFER, MANGELS, BUTLER & MARMARO LLP

Dated: 3/30, 2006

By: 
Grant T. Langton, Esq.
Reg. No. 39,739
1900 Avenue of the Stars
Seventh Floor
Los Angeles, CA 90067-4308
(310) 203-8080



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PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL
(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/039,395
Filing Date	November 7, 2001
First Named Inventor	BACKUS, Alan L.
Art Unit	1761
Examiner Name	Becker, Drew E.
Attorney Docket Number	65476-5003

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 10-0440:
- ☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments
- Enclose a duplicative copy of this form for fee processing.
- ☐ Check in the amount of \$ _____ is enclosed.
- ☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(e) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.138(c) - to expressly abandon an application to avoid publication
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.

04/05/2006 WASFAW1 00000002 100440 10039395
02 FC:1464 130.00 DA

Signature

3130106

Date

Grant T. Langton

Typed or printed name

39,739

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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